

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

JENNIFER BELUE

PETITIONER

v.

No. 1:14CV168-MPM-JMV

STATE OF MISSISSIPPI, ET AL.

RESPONDENTS

MEMORANDUM OPINION

This matter comes before the court on the *pro se* petition of Jennifer Belue for a writ of *habeas corpus* under [28 U.S.C. § 2254](#). The court has reviewed the petitioner's allegations and finds that none of them state a constitutional question. As such, the instant petition for a writ of *habeas corpus* will be dismissed for failure to state a claim upon which relief could be granted.

Claims

Jennifer Belue pled guilty in 2012 to charges of child abuse, child neglect, and knowing of child abuse – and was sentenced to 25 years' incarceration. She claims that during her incarceration, the prison staff would not let her see a psychiatrist, even though she had been taking various depression medications since 2002. Belue also claims that her probation officer, as the great-aunt of Belue's children, had a conflict of interest.

Failure to State a Claim

Belue seeks a petition for a writ of *habeas corpus* under 28 U.S.C. § 2254, which provides relief "in behalf of a person in custody pursuant to the judgment of a State court *only on the ground that [s]he is in custody in violation of the Constitution or laws or treaties of the United States.*" 28 U.S.C. § 2254 (a) (Emphasis added). Belue's claims regarding her inability to procure psychiatric help and the alleged partiality of her parole officer have no bearing on the legality of her current incarceration under the "Constitution or laws or treaties of the United States;" as such, they must be

dismissed for failure to state a claim upon which relief could be granted. A final judgment consistent with this memorandum opinion will issue today.

SO ORDERED, this, the 18th day of March, 2015.

/s/ MICHAEL P. MILLS
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI